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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/027,689	12/21/2001	Hong Li	8773/118	1264

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EXAMINER

KIM, SANG K

ART UNIT	PAPER NUMBER
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3654

DATE MAILED: 02/11/2003

4

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/027,689

Applicant(s)

LI ET AL.

Examiner

SANG KIM

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-4,6,7 and 9-18 is/are rejected.
- 7) ☒ Claim(s) 5,8,10 and 19 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

Claim Objections

Claim 7 is objected to because of the following informalities: "the distal end of each the leg" should be "the distal end of each leg" on line 2. Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 5, 9, and 18-19 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Referring to claim 5, line 22, "generally axial direction" is indefinite. Applicant fails to define which axial direction is referring to.

Referring to claim 18, lines 21-25, "applying pressure to a plurality of legs" and "releasing pressure from the plurality of legs" are indefinite. Applicant fails to define how the pressure is being applied to insert and release the legs from the corresponding openings.

Claim 9 recites the limitation "the axial direction" in line 9. There is insufficient antecedent basis for this limitation in the claim. "the axial direction" is indefinite. Applicant fails to define "the axial direction".

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-4, 6-7, 9, 11-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Orlando, U.S. Patent No. 5724469, in view of Kles et al, U.S. Patent No. 6481662 B1.

Referring to claims 1, 9, 11, 14-16, Orlando teaches a retaining spool for retaining a length of fiber optical cable 28 comprising, a body portion 26 including a channel 56 formed around the periphery of the body portion 38 for receiving the fiber optic cable in an arc having a radius greater than a minimum bend radius of the fiber optic cable; and a plurality of legs 30 extending from the body portion, each of the legs adapted to be received in an opening formed onto the base 10, as shown in Figs. 1-5b and described in column 2, lines 33-62.

Orland does not mention that a retaining spool for a PC board.

Kles et al teach a fiber optic cable winding assist tool having a retaining spool used in the PC board, as shown in Figs. 1-10, and described in column 1, lines 56-62.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the apparatus of Orlando and use it on the PC board as taught by Kles et al to provide a different ways of organizing the wires.

Referring to claims 2-4, and 6, Orlando teaches the body portion 26 includes a center portion (no reference number assigned) and upper flange (part of 30) and lower

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flange (part of 10) portions with the channel 56 formed in between, and at least one tab 32 for retaining the fiber optic cable, as shown in Figs. 3-4b.

Referring to claims 7 and 12-13, Orland teaches each of the legs 30 includes a foot portion 64 formed at the distal end of each leg, as shown in Figs. 3-4b.

Referring to claim 17, Orlando teaches a retaining spool for retaining a length of fiber optical cable 28 comprising, a body portion 26 including a channel 56 formed around the periphery of the body portion 38 for receiving the fiber optic cable in an arc having a radius greater than a minimum bend radius of the fiber optic cable; and a plurality of legs 30 extending from the body portion, each of the legs adapted to be received in an opening formed onto the base 10, the body portion 26 includes a center portion (no reference number assigned) and upper flange (part of 30) and lower flange (part of 10) portions with the channel 56 formed in between, and at least one tab 32 for retaining the fiber optic cable, as shown in Figs. 1-5b and described in column 2, lines 33-62.

Orland does not mention that a retaining spool for a PC board.

Kles et al teach a fiber optic cable winding assist tool having a retaining spool used in the PC board, as shown in Figs. 1-10, and described in column 1, lines 56-62.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the apparatus of Orlando and use it on the PC board as taught by Kles et al to provide a different ways of organizing the wires.

Allowable Subject Matter

Claim 18 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action.

Claim 19 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

Claims 5, 8, and 10 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The references of record show other exemplary in spool apparatus for optical cable.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sang Kim whose telephone number is (703) 305-3712. The examiner can normally be reached Monday through Friday from 8:00 A.M. to 5:30 P.M. alternating Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kathy Matecki can be reached on (703) 308-2688. The fax phone numbers are (703) 308-0552 for regular communications and (703) 305-7687 for After Final communications.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.

SK

1/28/03

Kathy Matecki

**KATHY MATECKI
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600**